

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

ERIN LEIGH MAHER, JASON REINDORF, NICK MEDINA, MONICA CALMET, SOUTH OF MARKET BUSINESS ASSOCIATION, 570 JESSIE LLC, SIERREC LLC dba MONTESACRO PINSERIA ROMANA, MEGALI SOUHLA INC. dba SOUHLA, DESIGN LIKE WHOA, LLC

(b) County of Residence of First Listed Plaintiff San Francisco
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Zacks, Freedman & Patterson PC; 235 Montgomery St., Ste. 400, San Francisco, CA 94104; 415-956-8100; Andrew M. Zacks (SBN 147794); Sarah M.K. Hoffman (SBN 308568)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)
 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF	
Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input checked="" type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input checked="" type="checkbox"/> 3	<input checked="" type="checkbox"/> 3	Foreign Nation	<input checked="" type="checkbox"/> 6	<input checked="" type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	422 Appeal 28 USC § 158	375 False Claims Act
120 Marine	310 Airplane	365 Personal Injury – Product Liability	423 Withdrawal 28 USC § 157	376 Qui Tam (31 USC § 3729(a))
130 Miller Act	315 Airplane Product Liability	367 Health Care/ Pharmaceutical Personal Injury Product Liability		400 State Reapportionment
140 Negotiable Instrument	320 Assault, Libel & Slander	368 Asbestos Personal Injury Product Liability		410 Antitrust
150 Recovery of Overpayment Of Veteran's Benefits	330 Federal Employers' Liability	PERSONAL PROPERTY	820 Copyrights	430 Banks and Banking
151 Medicare Act	340 Marine	370 Other Fraud	830 Patent	450 Commerce
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	371 Truth in Lending	835 Patent—Abbreviated New Drug Application	460 Deportation
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	380 Other Personal Property Damage	840 Trademark	470 Racketeer Influenced & Corrupt Organizations
160 Stockholders' Suits	355 Motor Vehicle Product Liability	385 Property Damage Product Liability	SOCIAL SECURITY	480 Consumer Credit
190 Other Contract	360 Other Personal Injury		861 HIA (1395ff)	485 Telephone Consumer Protection Act
195 Contract Product Liability	362 Personal Injury -Medical Malpractice		862 Black Lung (923)	490 Cable/Sat TV
196 Franchise			863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	864 SSID Title XVI	890 Other Statutory Actions
210 Land Condemnation	x 440 Other Civil Rights	HABEAS CORPUS	865 RSI (405(g))	891 Agricultural Acts
220 Foreclosure	441 Voting	463 Alien Detainee	FEDERAL TAX SUITS	893 Environmental Matters
230 Rent Lease & Ejectment	442 Employment	510 Motions to Vacate Sentence	870 Taxes (U.S. Plaintiff or Defendant)	895 Freedom of Information Act
240 Torts to Land	443 Housing/ Accommodations	530 General	871 IRS—Third Party 26 USC § 7609	896 Arbitration
245 Tort Product Liability	445 Amer. w/Disabilities— Employment	535 Death Penalty		899 Administrative Procedure Act/Review or Appeal of Agency Decision
290 All Other Real Property	446 Amer. w/Disabilities—Other	OTHER		950 Constitutionality of State Statutes
	448 Education	540 Mandamus & Other		
		550 Civil Rights		
		555 Prison Condition		
		560 Civil Detainee— Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation—Transfer 8 Multidistrict Litigation—Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 USC § 1983 (see attached)

Brief description of cause:

Violation of Due Process/Takings (see attached)

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P.

DEMAND \$
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE

DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only)

SAN FRANCISCO/OAKLAND

SAN JOSE

EUREKA-MCKINLEYVILLE

DATE 07/16/2020

SIGNATURE OF ATTORNEY OF RECORD

Causes of Action

1. Public Nuisance (Civil Code § 3479)
2. Private Nuisance (Civil Code § 3501)
3. Negligence
4. Violation of Due Process / Takings (42 U.S.C. § 1983; U.S. Const. Amend. V/XIV)
5. Inverse Condemnation (Cal. Const. art. I § 19)
6. Violation of Equal Protection (42 U.S.C. § 1983; U.S. Cons. Amend. V/XIV)
7. Violation of Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131 *et seq.*)
8. Violation of Section 504 of the Rehabilitation Act (29 U.S.C. §§ 794 *et seq.*)
9. Violation of California Disabled Persons Act (Civil Code § 54 *et seq.*)
10. Municipal Liability for Unconstitutional Custom or Policy (42 U.S.C. § 1983)